

Appl. No.: 10/815,920
Amdt. dated 03/29/2006
Reply to Official Action of February 10, 2006

REMARKS/ARGUMENTS

This is in response to the Official Action dated February 10, 2006, in which the Examiner has required restriction between two groups of invention, Group I including Claims 16-24 directed to a method of cooling a fiber amplifier, and Group II including Claims 1-15 directed to a system (device) for cooling a fiber amplifier. In response thereto, Applicant hereby provisionally elects with traverse to prosecute the claims of the Group II (Claims 1-15) and expressly reserve the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

Within Group II, the Official Action has further required restriction between three species, namely Species D shown in FIG. 4, Species E shown in FIG. 5, and Species F shown in FIG. 6. Again, Applicant hereby provisionally elects with traverse to prosecute the claims of the Species F, and expressly reserve the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims. Applicant notes that Species F shown in FIG. 6 includes all of Claims 1-15, and accordingly respectfully request that all of Claims 1-15 be considered. In this regard, Applicant respectfully submits that Claims 1-8 are particularly drawn to Species F. Contrary to the Official Action, however, Applicant respectfully submits that Claims 9-15 are generic to Species D, E and F. That is, Claims 9-15, directed to a system including a fiber amplifier assembly having one or more sheet spacers, and a fiber amplifier, as shown in FIG. 7. As claimed, however, none of Claims 9-15 are particular to a fiber amplifier having a retaining structure, whether a spiral spacer (Species D, shown in FIG. 4), a fluted structure (Species E, shown in FIG. 5), or an emulsion of phase change material (Species F, shown in FIG. 6). Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

Appl. No.: 10/815,920
Amtd. dated 03/29/2006
Reply to Official Action of February 10, 2006

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

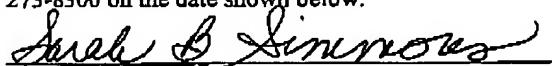


Andrew T. Spence
Registration No. 45,699

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at Fax No. (571) 273-8300 on the date shown below.


Sarah B. Simmons


Date

CLT01/4799935v1